

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LOUISIANA PACIFIC CORPORATION,

Plaintiff,

No. C 09-03529 JSW

v.

MONEY MARKET 1 INSTITUTIONAL
INVESTMENT DEALER, ET AL.,

Defendants.

**ORDER REOPENING CURRENT
ACTION AND SETTING MOTION
ON CALENDAR**

In a joint letter dated December 18, 2009, the parties requested this Court's assistance in clarifying the status of this action after the Transfer Order issued in *In re Merrill Lynch & Co., Inc. August Rate Securities (ARS) Marketing Litigation*, MDL No. 2030, by the Judicial Panel on Multidistrict Litigation ("MDL Panel") dated December 1, 2009. In its Transfer Order, the MDL Panel transferred all claims regarding securities underwritten by defendant Merrill Lynch to the Southern District of New York, and simultaneously remanded to this Court the claims regarding securities underwritten by Deutsche Bank. *See* Transfer Order at 2-3. Subsequently, this Court's clerk entered a notation in the docket indicating that this action had been closed, and the parties then sought the Court's guidance on the present status of this action and the pendency of the motion to transfer venue.

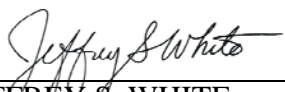
The Court now finds that the effect of the Transfer Order was to bifurcate the pre-trial proceedings in this case, with the claims arising from the Merrill Lynch-underwritten securities proceeding in the Southern District of New York and the claims arising from the Deutsche

1 Bank-underwritten securities proceeding in this Court. Accordingly, the Court HEREBY
2 ORDERS as follows:

- 3 1. The Clerk is directed to remove the "CLOSED" notation that appears on the
4 docket.
- 5 2. Deutsche Bank's motion to transfer venue pursuant to 28 U.S.C. § 1404 is
6 hereby set for hearing on Friday, March 5, 2010 at 9:00 a.m.

7
8 **IT IS SO ORDERED.**

9
10 Dated: January 5, 2010



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE